

REMARKS

Claims 1-21 are presented for consideration, with Claims 1, 8 and 15 being independent.

The independent claims have been amended to further distinguish Applicants' invention from the cited art. In addition, editorial changes have been made to selected claims, and Claims 18-21 have been added to provide an additional scope of protection.

Applicants are submitting concurrently herewith a Submission of Replacement Sheet of Drawing showing Figure 17 labelled as --Prior Art-- as required by the Examiner. Approval of the Replacement Sheet is respectfully requested.

Claims 1-7 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Fushimi '343. Claims 8-12 and 14-16 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Anderson '927. Additionally, Claims 13 and 17 are rejected under 35 U.S.C. §103 as allegedly being obvious over Anderson in view of Fushimi. These rejections are respectfully traversed.

Claim 1 of Applicants' invention relates to a vacuum container having a first substrate and a second substrate arranged so as to face each other as components and comprises, within the vacuum container, a spacer supported at the first substrate or the second substrate so as to maintain an interval therebetween, with the spacer having a height extending in a first direction substantially perpendicular to planar surfaces of the first and second substrates and a length extending in a longitudinal direction substantially parallel with the planar surfaces. In addition, a supporting member is provided at a longitudinal end of the spacer and fixes the spacer within the vacuum container without the spacer contacting the supporting substrate.

Claim 8 is directed to a vacuum container having a first substrate and a second substrate arranged so as to face each other as components and comprises, within the vacuum container, a spacer supported on the first substrate or the second substrate so as to maintain an interval therebetween, and a supporting member provided at a longitudinal end of the spacer and fixing the spacer within the vacuum container so as to provide a gap between the spacer and the supporting substrate. As claimed, the spacer has a height extending in a first direction substantially perpendicular to planar surfaces of the first and second substrates and a length extending in a longitudinal direction substantially parallel with the planar surfaces.

Claim 15 relates to a method of manufacturing a vacuum container and corresponds substantially to Claim 8.

In accordance with Applicants' claimed invention, the spacer can be supported in manner to provide a high performance vacuum container.

The Fushimi patent relates to a method for providing a flat-type image forming apparatus with supporting members for downsizing the apparatus. With reference to Figure 1, a spacer 113 is positioned between a first substrate 112 and a second substrate 101. The Office Action asserts that a supporting member 105 fixes the spacer without contacting the first and second substrates.

In contrast to Claim 1, however, Fushimi does not teach or suggest, among other features, supporting the spacer at its longitudinal end. In Fushimi, the supporting member 105 is provided below the spacer.

Accordingly, reconsideration and withdrawal of the rejection of Claims 1-7 under 35 U.S.C. §102(b) is respectfully requested.

The Anderson patent relates to a method for fixing spacers within a flat panel display which can provide substantially uniform low distribution among the spacers. In Anderson, a spacer 104 is fixed between first and second substrates 130, 164. The Office Action takes the position that a gap is created between the spacer and the first substrate by virtue of metallic compliant members, i.e., supporting members 112, disposed therebetween (see Figure 7). With respect to Applicants' Claims 8 and 15, however, it is respectfully submitted that Anderson does not teach or suggest, among other features, providing a supporting member at a longitudinal end of the spacer. The spacer shown in Anderson is supported from below by the supporting members.

Accordingly, reconsideration and withdrawal of the rejection of Claims 8-12 and 14-16 under 35 U.S.C. §102(b) is respectfully requested.

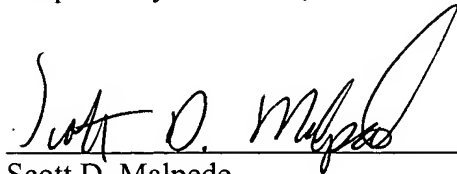
With respect to the rejection under 35 U.S.C. §103, it is submitted that the proposed combination of Anderson and Fushimi, even if proper, still fails to teach or suggest Applicants' claimed invention. Therefore, reconsideration and withdrawal of the rejection applied to Claims 13 and 17 is also deemed to be in order.

Accordingly, it is submitted that Applicants' invention as set forth in independent Claims 1, 8 and 15 is patentable over the cited art. In addition, dependent Claims 2-7, 9-14 and 16-21 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott D. Malpede", is written over a horizontal line.

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